



## Roll Call

### *CITY COUNCIL MEETING CONDUCTED AS AN ON-LINE ZOOM MEETING Northampton, MA*

A regular meeting of the City Council was called to order by Council President Gina-Louise Sciarra. At 7:18 p.m. on a roll call the following City Councilors were present:

At-Large Councilor Gina-Louise Sciarra	At-Large Councilor William H. Dwight
Ward 1 Councilor Michael J. Quinlan, Jr.	Ward 5 Councilor Alex Jarrett
Ward 2 Councilor Karen Foster	Ward 6 Councilor Marianne LaBarge
Ward 3 Councilor James B. Nash	Ward 7 Councilor Rachel Maiore
Ward 4 Councilor John Thorpe	

## Announcement of Audio/Video Recording

Councilor Sciarra announced that the meeting was being held via remote participation and audio and video recorded.

## Public Comment

### Public Comment

Councilor Sciarra opened the floor to public comment and explained the procedure she would use in conducting the public comment session.

Bob Nagle, who identified himself as a resident of Northampton for six decades, began by thanking his wife Melissa and son Christopher for their love, understanding and caretaking of a 'non-compos mentis' husband and father. He prefaced his remarks by informing councilors that he suffers from Bi-polar 1 disorder, a communications disorder characterized by pressured, wandering, disordered and tangential speech and discursive thought and asking that they please bear with him. As they know, bipolar disability is covered by the Americans with Disabilities Act of 1990, contingent on two years of psychiatric records and a confirmed diagnosis of bipolar.

NPD's misconduct: On June 14<sup>th</sup>, June 16<sup>th</sup> and July 16<sup>th</sup> 2010, Northampton Police Department (NPD) Officer Digiammo, hereinafter referred to as NPD officer, intruded into his life inquiring into trivial delusive assertions. The officer, throughout all three occurrences, indicated him as a malefactor. He presented an impertinent, choleric, truculent demeanor, laced with invective and asperities, a sententious tirade. He himself was indignant; that isn't proper; [it was] unconscionable behavior. Consequently, on July 30, 2010, he wrote a letter to Chief Sienkiewicz summarizing NPD officer's impropriety and maladroitness. An internal investigation ensued. As a result, he was questioned by Sgt. Powers at his former home at 3 Madison Avenue, Northampton. Sgt. Powers' insouciance was plain to see. He was supercilious, apathetic and laconic during his casual perusal of his complaint. August 9, 2020, the result of the internal investigation was 'not sustained' with Captain Savino drawing the conclusion within 10 days.

September 16, 2011 - NPD apprised of bipolar infirmity in NPD report 11-2551.

February 28, 2018, front page of the Daily Hampshire Gazette, Chief Kasper claimed NPD's association and certification in the One Mind campaign. Kasper stated NPD has completed a pledge to improve response to those suffering from mental illness in our community. All staff have been certified in the One Mind program.

May 30, 2018, NPD officer responded to spurious canard's detailed NPD report 18-120. NPD officer had the temerity to revert to his bunctious means of 2010. This was his last interaction with the officer. Unfortunately, he addressed him from the middle of Madison Avenue with a snarky, stentorian proclamation, declaring, "All PD knows you're a really smart guy," a vituperation, stigmatizing and embarrassing, and having a detrimental impact upon his psyche. This entire interaction was captured on cell phone video refuting the duplicitous, erroneous nature of report 18-120.

May 31, 2018, he wrote another letter to Chief Kasper encapsulating the NPD's discourteous, imprudent, injudicious deportment on May 30, 2018. 800 days - no response from Kasper.

May 30, 2019, his wife Melissa penned another letter. 500 days. No response.

His conclusion with certitude: Kasper is and was biased toward him regarding his mental health soundness. Kasper did not attempt to obviate, was obsequious to a neighbor, extending preferential treatment and sophistry. Kasper's incredulity in relation to him is plain to see. In his possession are emails between Chief Kasper and said neighbor that took place over nine months. The emails are discreditable, dispersing his mother and father and other family members; censorious perfidy. Chief Kasper's responses to his neighbor's emails were swift and if she was at all dilatory, she vehemently apologized. At no point did the top law enforcement officer for the City of Northampton afford him to write to controvert confute purported averments, a dereliction of duty. Her evasion and persecution culminated with him moving on from Northampton.

Presently, his paramount concern is young adults suffering bipolar in Northampton. A friend of his son, who he will refer to as John, regrettably, suffered a mutual misfortune with incompetent, intransigent, incognizant, unheeding NPD. What was John doing? Walking, mumbling, contorted face, crazed eyes, bewildered, overanalyzing, experiencing family out-casting, addled, meriting crisis intervention. NPD was dispatched. NPD's contemptible method of responding to a call with a mental health issue begins. NPD attempts to infuriate, inane questions and expediate fallacious allegations. NPD has a [unintelligible] of options; trespass and disorderly conduct, etc. NPD [unintelligible] with trifling, inconsequential matters with an accusatory 'what's going on,' along with disparaging slights, riling John and leaving John's mind in a ruinous state. NPD is inept and incapable of extending one mite of protection to a citizen in the midst of a mental health crisis. To John: you have a right to walk the sidewalks without being provoked by the NPD. A stop requires reasonable suspicion of evolving criminal activity. Walking is not a crime and the sidewalks are the domain of the populace.

Councilor Sciarra told Mr. Nagle his time was up, and he protested vehemently, insisting that he was told by the ADA coordinator that he would have as much time as he needed to complete his statement. He called her interruption impertinent and unconstitutional. Councilor Sciarra allowed him to continue.

John turned to Servicenet for help, Mr. Nagle continued. Servicenet is partners with the NPD in the One Mind program. John was placed on a wait list with dozens of others. He's baffled by this approach to mental health care. ServiceNet headquarters are now prominently perched on hospital hill with vistas, a perfect place to have a bird's eye view of John in the nadir of his existence. On a snowy night, John makes an effort to rest his head on the piercing cold ground. Paradise City. Apparently unaware of ADA rights.

Mr. Nagle proceeded to bitterly object to his statement having been interrupted, repeating his claim that it was unconstitutional. "It is deplorable," he protested. "I'm trying to give voice to people who don't have voices." After registering additional objections to the interruption, he stopped talking and turned away from the camera.

Montague resident David Short said he has owned industrially-zoned property in Northampton since 1980 and operated Amherst Woodworking in the industrial park until 2013, since then leasing the building to Royal Talens. He expressed appreciation for Northampton's support of the business community through maintenance of the single tax rate. It has kept Northampton's industrial base strong and growing, providing the kind of living wage the council cares so much about, while cities with the split tax rate have struggled to attract businesses. Given the current conditions, maintenance of the single tax rate would be crucial to the survival of downtown businesses.

Northampton Youth Commission Chair Noah Kassis said he was present with six or so other members of the Youth Commission. They are coming to thank the council for its consideration of the plastic reduction and sustainability ordinance which they have been sponsoring and express their enthusiasm that is going to be moving forward in the process to Legislative Matters. They have been working really closely with Councilor Nash and Amy Cahillane of Downtown Northampton and just this last weekend sent out letters with a copy of the ordinance to every member of the Northampton food establishment community. They are excited to be moving forward with the council's consideration of the measure and to be working with the Northampton business community.

<b><u>Public Hearings</u></b> <b><u>Tax Classification</u></b> <b><u>Hearing</u></b>	<b><u>Public Hearings</u></b> <b><u>Tax Classification Hearing</u></b> <p>Councilor Sciarra made the following announcement: The Northampton City Council will hold a public hearing on Thursday, November 19, 2020 at 7:05 p.m. via remote participation to discuss the percentages of the local tax levy to be borne by each class of real and personal property within the City of Northampton for FY 2021 in accordance with Chapter 40, Section 56 of the Massachusetts General Laws. The City Council will hear all persons who wish to be heard thereon.</p> <p>Councilor Dwight moved to open the public hearing. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote. The hearing was opened at 7:21 p.m.</p> <p>Councilor Sciarra greeted Principal Assessor Marc Dautreuil and Finance Director Susan Wright.</p> <p>Director Wright introduced the Powerpoint presentation (see attachment to master version of minutes). This is the first time in a long time they haven't had Joan Sarafin, the city's long-time assessor, with them for the Tax Classification hearing. She gave a shout out to the retired Principal Assessor to recognize her 47 ½ years of service.</p> <p>This is the final step in the FY2021 budget process, Director Wright explained. The budget process starts in the spring and technically doesn't end until the Tax Classification hearing, after which the city submits a recap to the Department of Revenue (DOR). The City Council has an important role in the budget process by choosing the tax classification factor. The recap is a document submitted to the DOR in which the city has to prove that it has balanced the city budget. The recap sheet includes the votes of City Council, the amounts of money appropriated, etc. The DOR reviews it and will approve its tax rate. This has to happen by December 31st in order for the third quarter tax bill to go out due and payable February 1<sup>st</sup>. In general, the tax rate setting process this year was delayed, in part due to COVID and the fact that they still don't have a state budget. For this reason, they respectfully request the City Council consider doing two readings.</p> <p>Principal Assessor Dautreuil delivered a presentation, after which members asked questions and offered comments.</p> <p>Looking at a single vs. split tax rate, at the bottom of the slide it says it can be difficult for a community to revert back to a single tax rate after splitting the tax rate as it often results in a substantial tax increase for residential properties, Councilor LaBarge observed. The tax rate is increasing by (sic) \$17.37. She is not having a problem with it. She feels like they could not do a split because of what's happening in their economy and here in Northampton. She is going to support a factor of 1 because she feels it is the right way to go.</p> <p>Once a community splits the rate and shifts the burden to commercial/industrial properties, the only way to bring it back to a single rate is raising the residential side, Director Wright explained. If you shift it and want to move it back, you're going to have to raise taxes on your residents. Holyoke is a perfect example. They split the tax rate a long, long time ago and it's going to be very hard to shift it back to residential if they ever want to change the tax factor.</p> <p>She doesn't think they should underestimate the fact that, because they have single a tax rate Northampton is attractive to new businesses and commercial enterprises, which is evident by the amount of new growth and new construction. Northampton had over \$60 million in new growth for two years in a row. They are a third higher than the next highest town in terms of growth. This is key to keep in mind. Northampton is attractive, and the single tax rate is one of the reasons.</p> <p>Councilor Quinlan said he is curious what the bills sent for quarters 1 and 2 were assessed at. If they were at a lower rate, the new bills would be higher, he pointed out.</p> <p>1<sup>st</sup> and 2<sup>nd</sup> quarter bills are always at the prior tax rate, which was \$16.80, Director Wright confirmed. Quarter 1 and 2 are estimated bills and 3 and 4 are actual. Unfortunately, once they set the tax rate, the final increase is divided between the final two bills. Generally, it is difficult to set the tax rate until you've closed your books.</p>
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To be clear, at \$16.80 with a .57 increase, the second half of the year will look like a \$1.14 increase, Councilor Quinlan noted.

The entire annual increase will be loaded onto those two other bills, Director Wright confirmed.

Mayor Narkewicz emphasized that that is the other reason they want two readings because if they don't get the rate set in time for the 3<sup>rd</sup> quarter bill, it will all be loaded onto the 4<sup>th</sup> quarter bill. It is a bummer when they don't get it passed by the end of the year. This year, because the governor's revised budget was delayed, everybody is going to be submitting their recap sheets at the same time.

When it came to the actual FY2021 levy - \$64,854,759.61 - Councilor Thorpe asked if she got to that by taking the total valuation (\$3,733,722,488), dividing that by a thousand and then multiplying it by the single tax rate of \$17.37.

She takes the total valuation of \$3,733,722,488 and divides it by the tax rate of \$17.37 to come up with the \$64,854,759, Director Wright confirmed.

Councilor Thorpe expressed his understanding that the override amount of \$2.5 million is to be deferred to 2020. Director Wright clarified that they are not technically deferring the override but are leaving excess levy capacity equivalent to the override on the table until next year.

Councilor Thorpe asked if this will make a difference in the city's bond rating and Director Wright said no, it won't. They just did a borrowing and the city's bond rating was reaffirmed at triple A (AAA). The fact that they were able to balance their budget and not have to tap into the excess levy capacity puts them in very good position.

Councilor Thorpe said it appears DOR approved the full and fair cash value of property within Northampton and Director Wright confirmed that it did.

Councilor Maiore asked how it could play out if there is a variance in the budget at the state level.

State revenues are not a huge part of Northampton's budget, which in this case is a blessing, Director Wright affirmed. By the time they do the recap and set the tax rate, the final budget has usually already been approved. It is the first time in her career that they've ever set the tax rate without having a final budget. But the house budget, the senate budget and the governor's budget are all very similar. Where there is a variance, the governor's budget is actually the lowest so they are using the worst-case scenario and the only thing that could happen is they could get more money from the state.

Councilor Sciarra asked if any member of the public would like to speak

Councilor Dwight recognized the presence of former Councilor David Murphy.

Mayor Narkewicz noted that he is now chair of the Board of Assessors.

He is really just here as a resource tonight, Mr. Murphy volunteered. As Board of Assessors Chair, he is the one who has to sign the recap sheet before it goes off to the state. This is his 22<sup>nd</sup> or 23<sup>rd</sup> tax classification hearing either as an assessor or as a member of the council. He also supports the factor of 1; it is an overwhelmingly right decision given the commercial/residential split of property in Northampton and unusual stress on small businesses.

In terms of using the override levy, Councilor Nash expressed his understanding that they didn't use the capacity last year but are using it this year.

They didn't have it last year, Director Wright corrected. The override passed in March but the budget was already set at that point. It was always expected to be used for FY2021. They are taking a pause this year and the fiscal stability plan will go back into effect for FY2022.

Councilor Dwight said he understands valuations have increased precipitously in the last year, at least that's the scuttlebutt. His question is what they have to look forward to next year. He imagines increased assessments will be reflected in the new valuations.

<p><b><u>Public Hearing - 20.126 Comcast Petition to Install Underground Conduit Under King Street dated Sept. 14, 2020</u></b></p>	<p>He's correct, Principal Assessor Dautreil said.</p> <p>Councilor Dwight asked former Councilor Murphy if the projected increase is indeed around 17%.</p> <p>The residential market has been really booming this year, Mr. Murphy confirmed. The commercial market has not been because a lot of commercial ventures are in fact closed or restricted. Commercial properties are valued based on their net operating income. If they start seeing vacancies, commercial values could start going the opposite way. They are seeing people move out of the cities. It doesn't affect this year because the values they are using now are from January 1, 2020. When they use 2021 values, residential will be higher; commercial is yet to say because the math won't get done until sometime in 2021. That's what's going on on the ground, he reported.</p> <p>He figured the COVID flight to smaller towns and cities would result in a boom, Councilor Dwight volunteered. For this reason, a split rate would have a really deleterious impact should they decide to split the rate.</p> <p>There being no further comment, Councilor Dwight moved to close the public hearing. Councilor LaBarge seconded The motion carried 9:0 by roll call vote. The hearing closed at 8:13 p.m.</p> <p><b><u>Public Hearing - 20.126 Comcast Petition to Install Underground Conduit Under King Street dated September 14, 2020 - Withdrawn</u></b></p> <p>This public hearing has been cancelled and the application withdrawn, Councilor Sciarra announced.</p>
<p><b><u>I Updates from Council President/ Committee Chairs</u></b></p>	<p><b><u>Updates from Council President and Committee Chairs</u></b></p> <p>On December 3, 2020, she has asked Mayor Narkewicz and Health Department Director Merridith O'Leary if they would come and give them a COVID 19 update. As they know, they are watching the numbers grow statewide, countrywide and worldwide. They are going to update them on Northampton's situation and on their preparedness for this winter surge. She urged everyone to be safe leading into this holiday next week and to limit their groups and keep their families safe.</p> <p>The Community Resources Committee is delivering the plastic reduction and sustainability ordinance back to council with a positive recommendation, Councilor Nash reported. Members did suggest changes to help improve it to the sponsors and folks drafting it. It is ready to move on to Legislative Matters pending a report from the Disability Commission.</p>
<p><b><u>Recognitions and One-Minute Announcements by Councilors</u></b></p>	<p><b><u>Recognitions and One-Minute Announcements by Councilors</u></b></p> <p>Councilor Quinlan gave an update on the Northampton Policing Review Commission (NPRC). This past week, an administrative assistant was hired. They started last week. He thanked Laura Krutzler and Annie Lesko for their support in the interim. The communication's been flowing really well already. The commission is having the first of its public hearings Tuesday, December 1, 2020 at 6:30 p.m. There will be presentations by each subcommittee about their progress with topics for public testimony to be determined. He thanked the council president and mayor for the approval to hire UMass Translation Services to provide interpretation/translation for those who need it.</p> <p>Councilor Sciarra echoed the thanks to Laura Krutzler and Annie Lesko.</p> <p>Councilor LaBarge wished the residents of Ward 6, all city residents in the city, the mayor, the mayor's office, city councilors, department heads and employees in the city a happy, happy thanksgiving and to be safe and stay healthy.</p> <p>Councilor Maiore reminded anyone watching that Yule Days are off and running downtown. There are generous discounts and great merchandise. It is a great way to socially distance and support their local businesses. Customers don't need a bag and the weather looks really</p>

	<p>pleasant.</p> <p>Councilor LaBarge said it was nice to see former Councilor David Murphy.</p>
<b><u>Communications and Proclamations from the Mayor</u></b>	<p><b><u>Communications and Proclamations from the Mayor</u></b></p> <p>Mayor Narkewicz reminded residents that parking is free during Yule Days as the council lifted parking fines for the event. Come downtown, wear your mask and enjoy the free parking while supporting local business, he enjoined.</p>
<b><u>Resolutions</u></b>	<p><b><u>Resolutions</u></b></p> <p>None</p>
<b><u>Consent Agenda</u></b>	<p><b><u>Consent Agenda</u></b></p> <p>Councilor Sciarra reviewed the items on the consent agenda, offering to remove any item for separate discussion upon request. <b>Councilor Dwight moved approval of the consent agenda with the remaining items. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.</b></p> <p><b>The following items were approved as part of the consent agenda:</b></p> <p><b>A. <u>Minutes of October 15, 2020 City Council Meeting</u></b></p> <p><b>B. <u>20.150 Second Hand Dealer License Application for Retro Genie</u></b></p> <p>Renewal application for: Retro Genie, 11C Bridge Street Applicant: Jean F. Mulvey</p>
<b><u>Recess for Committee on Finance Meeting</u></b>	<p><b>At 8:24 p.m., the City Council recessed for the Committee on Finance. The Committee on Finance adjourned at 8:38 p.m. The City Council reconvened at 8:38 p.m.</b></p>
<b><u>Financial Orders (on 1st reading pending Finance)</u></b> <b><u>20.151 An Order to Establish a Tax Classification for FY2021 - 1st reading</u></b>	<p><b><u>Financial Orders (on 1st reading pending Finance review)</u></b></p> <p><b><u>20.151 An Order to Establish a Tax Classification for FY2021 - 1st reading</u></b></p> <p>Councilor LaBarge moved to approve the order in first reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p>Councilor Maiore moved to suspend rules to allow a second reading. Councilor Foster seconded.</p> <p>Councilor Jarrett said he knows in past years this was done in two readings. He wondered if it was because of the COVID delay that they didn't get this until now.</p> <p>They are asking for two readings because normally they do this in October but they were unable to do it then because they were waiting for the state budget, Finance Director Wright explained. DOR finally said they were going to let communities set the tax rate on an estimated budget. It was related to COVID and the state budget, she confirmed. Mayor's office staff were ready. She mentioned a document needs to be physically signed by councilors to submit with the recap.</p> <p>The motion passed unanimously 9:0 by roll call vote.</p> <p>Councilor LaBarge moved to approve the order in second reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.</p> <p><b><u>The following order passed two readings:</u></b></p>

**City of Northampton**  
MASSACHUSETTS

In City Council

November 19, 2020

Upon recommendation of Mayor David J. Narkewicz

20.151

### An Order

### To Establish a Tax Classification for FY2021

Ordered, that

The Northampton City Council approves a Residential Factor of One (1) for Fiscal Year 2021.

**Rules suspended, passed two readings and enrolled.**

**Financial Orders**  
**(in 2<sup>nd</sup> reading)**  
**20.135 Order to**  
**Declare Surplus**  
**and Authorize**  
**Sale of 593 Elm**  
**Street - 2nd**  
**reading**

### Financial Orders (in 2<sup>nd</sup> reading)

**20.135 An Order to Declare Surplus and Authorize Sale of 593 Elm Street - 2nd reading**  
Councilor Thorpe recused himself.

Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded.

Councilor Jarrett said he confirmed that the apartment in the building is no longer in use. He is in favor of this but at some point would like to have a larger discussion about how they surplus city buildings given the urgent need for affordable housing. It's hard to surplus property that was recently housing, and he would love to be looking into the economic feasibility of converting surplus buildings to affordable housing.

The motion carried 8:0 by roll call vote with Councilor Thorpe recused.

**The following order passed two readings:**

**City of Northampton**  
**MASSACHUSETTS**

*In City Council,* November 5, 2020

Upon recommendation of Mayor David J. Narkewicz

**20.135 An Order to Declare Surplus and Authorize Sale of 593 Elm Street**

*Ordered, that*

**Whereas,** the City of Northampton owns a property located at 593 Elm Street, and shown on Assessors Map 23B, Parcel 47, Lot 2; and

**Whereas,** the City currently leases the property to the Children’s Advocacy Center (CAC) of Hampshire County, Inc., a private, non-profit providing medical, mental health, victim advocacy, and other services to children and families; and

**Whereas,** the Children’s Advocacy Center (CAC) of Hampshire County, Inc., is interested in purchasing the property to make it the permanent home of the CAC in advancement of its critical mission of minimizing secondary trauma to child victims by streamlining the handling of cases of child sexual abuse, serious physical abuse, and child exploitation; and

**Whereas,** on October 20, 2020 the Board of Trustees of Smith Vocational and Agricultural High School, after determining that the property was no longer needed for current or future educational purposes, voted to surplus the building to the City; and

**Whereas,** the City of Northampton does not have a municipal use for the property and M.G.L. c. 30B, §16 requires a vote of City Council to surplus any interest in public property prior to its disposal; and so

**Now, Therefore Be It Ordered**

The property at 593 Elm Street is declared surplus to City needs and is hereby transferred to the care, custody, and control of the Mayor for the purpose of selling such property for continued use for child advocacy services in accordance with Massachusetts procurement law and on such terms and conditions as the Mayor deems reasonable and appropriate, provided that the property shall not be sold for less than its current fair market value and, if sold to a non-profit entity, shall be subject to the successful bidder entering into an agreement for payment in lieu of taxes.

**Passed two readings and enrolled.**

**20.136 Order to Make Changes to the FY2021 GF Budget to Balance the FY2021 Budget - 2nd reading**

**20.136 An Order to Make Changes to the FY2021 General Fund Budget to Balance the FY2021 Budget - 2nd reading**

Councilor LaBarge moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**



**City of Northampton**  
MASSACHUSETTS

*In City Council* November 5, 2020

Upon recommendation of the Mayor

**20.136 An Order to Make Changes to the FY2021 General Fund Budget to Balance the FY2021 Budget**

*Ordered, that*

To balance the Fiscal Year 2021 budget the following changes to the FY2021 General Fund Budget, as passed by the City Council on June 18, 2020 be hereby made:

- Reduce the amount raised and appropriated from Receipts Reserved for Parking by \$350,000. This will reduce the total RRA Parking appropriated in the FY2021 General Fund Budget from \$1,392,873 to \$1,042,873.
- Increase the amount appropriated from the Fiscal Stability Stabilization Fund by \$358,949. This will increase the amount taken from the Fiscal Stability Stabilization Fund from \$52,418 to \$411,367.

**Passed two readings and enrolled.**

**20.137 Order to Rescind and Replace FY2021 Water Enterprise Fund Budget - 2nd reading**

**20.137 An Order to Rescind and Replace FY2021 Water Enterprise Fund Budget - 2nd reading**

Councilor LaBarge moved to approve the order in second reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

City of Northampton  
MASSACHUSETTS

*In City Council* November 5, 2020

Upon recommendation of the Mayor

**20.137 An Order to Rescind and Replace FY2021 Water Enterprise Fund Budget**

*Ordered, that*

The budget voted for the Water Enterprise Fund on June 18, 2020 be rescinded and replaced with the following:

the sum of \$6,945,000 which is the full amount necessary for the Fiscal Year 2021 Water Enterprise Fund Budget (July 1, 2020 to June 30, 2021), be appropriated for the purposes stated and to meet said appropriation, \$5,767,732 is to be raised from water receipts, \$577,268 shall be allocated to indirect costs and \$600,000 shall be transferred from the Water Stabilization Fund.

<b>WATER ENTERPRISE FUND</b>					
Water General					2,949,566
Water Debt					1,684,863
Water Interest					262,190
Water Indirect Costs					577,268
Water Transfer to Capital Projects					1,471,113
Water Reserve					-
<b>TOTAL WATER ENTERPRISE FUND</b>					<b>6,945,000</b>

**Passed two readings and enrolled.**

**20.138 Order to Rescind and Replace FY2021 Sewer Enterprise Fund Budget - 2nd reading**

**20.138 An Order to Rescind and Replace FY2021 Sewer Enterprise Fund Budget - 2nd reading**

Councilor Dwight moved to approve the order in second reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

City of Northampton  
MASSACHUSETTS

*In City Council* November 5, 2020

Upon recommendation of the Mayor

**20.138 An Order to Rescind and Replace FY2021 Sewer Enterprise Fund Budget**

*Ordered, that*

The budget voted for the Sewer Enterprise Fund on June 18, 2020 be rescinded and replaced with the following:

the sum of \$6,177,500 which is the full amount necessary for the Fiscal Year 2021 Sewer Enterprise Fund Budget (July 1, 2020 to June 30, 2021), be appropriated for the purposes stated and to meet said appropriation, \$4,534,674 is to be raised from sewer receipts, \$1,042,826 shall be allocated to indirect costs and \$600,000 shall be transferred from the Sewer Enterprise Stabilization Fund.

<b>SEWER ENTERPRISE FUND</b>					
Sewer General Sanitary					1,051,250
Sewer Treatment					2,217,734
Sewer Debt					209,235
Sewer Interest					61,804
Sewer Indirect Costs					1,042,826
Sewer Transfer to Capital Projects					1,594,651
Sewer Reserve					-
<b>TOTAL SEWER ENTERPRISE FUND</b>					<b>6,177,500</b>

**Passed two readings and enrolled.**

**20.140 Order to Surplus Land to Abutters at Woodland Drive - 2nd reading**

**20.140 An Order to Surplus Land to Abutters at Woodland Drive - 2nd reading**

Councilor LaBarge moved to approve the order in second reading. Councilor Thorpe seconded. The motion passed unanimously 9:0 by roll call vote.

**The following order passed two readings:**

City of Northampton  
MASSACHUSETTS

*In City Council, November 5, 2020*  
*Upon the recommendation of Mayor David J. Narkewicz and Planning & Sustainability*

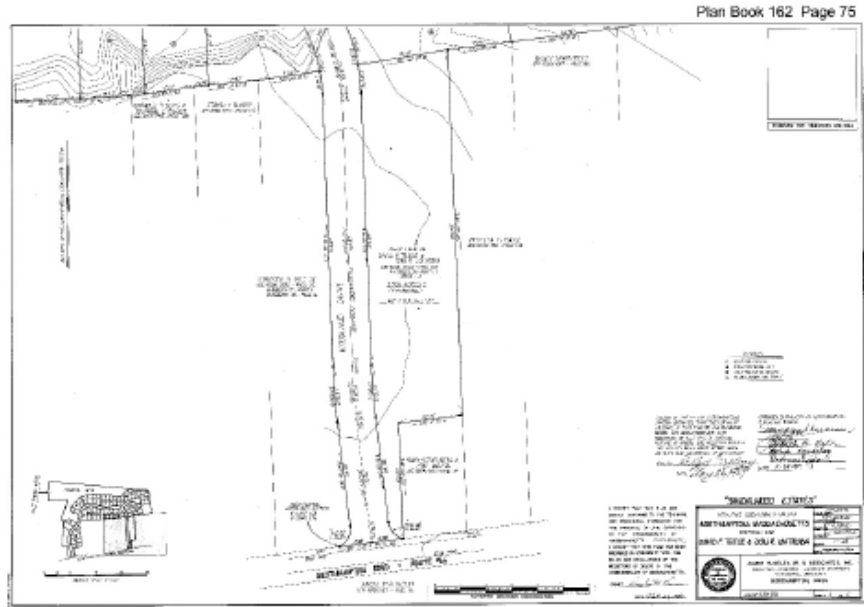
20.140 An Order to Surplus Land to Abutters at Woodland Drive

WHEREAS, On April 16, 2020, City Council authorized the City to accept a deed for 1.906± acres on Woodland Drive (Map ID 42-031) for an affordable home, a workforce or market rate home, and a future walking and bicycling path, which the city acquired on May 13, 2020 (Book 13526, Page 315);

WHEREAS, In conducting due diligence, there are one or more slivers of land which are not necessary for the above purposes, and which could be sold to abutters if mutually agreeable terms could be worked out;

**Ordered, that**  
City Council declares such slivers of land surplus to City needs and the Mayor is authorized to transfer deeds for such surplus land;

Further, related or unrelated to selling such land, if the City is able to acquire deed or easements to extend the above referenced trail further east, the Mayor is authorized to accept said deed or easements.



Passed two readings and enrolled.

20.141 Order to  
Accept \$10,000  
Gift from DA  
Sullivan for  
Senior Services  
Technology  
Lending Program  
- 2nd reading

20.141 An Order to Accept \$10,000 Gift from DA Sullivan for Senior Services Technology Lending Program - 2nd reading

Councilor Foster moved to approve the order in second reading. Councilor Maiore seconded. The motion passed unanimously 9:0 by roll call vote.

The following order passed two readings:

**City of Northampton**  
MASSACHUSETTS

*In City Council* November 5, 2020

Upon recommendation of the Mayor

20.141 An Order to Accept \$10,000 Gift from DA Sullivan for Senior Services Technology Lending Program

*Ordered, that*

The Northampton City Council gratefully accepts the donation of \$10,000, a gift to the City of Northampton from D.A. Sullivan and Sons, Inc., and in accordance with Massachusetts General Law Chapter 44, Section 53A approves using the gifted funds for equipment and training services in support of the Senior Services Technology Lending Program, created in response to the COVID-19 pandemic.

Passed two readings and enrolled.

20.143 Order to Appropriate \$3,000 in CPA Funds for Construction of Pine Grove Trails - 2nd reading

20.143 An Order to Appropriate \$3,000 in CPA Funds for Construction of Pine Grove Trails - 2nd reading

Councilor LaBarge moved to approve the order in second reading. Councilor Thorpe seconded. The motion passed unanimously 9:0.

The following order passed two readings:

**City of Northampton  
MASSACHUSETTS**

*In City Council, November 5, 2020*

*Upon the recommendation of the Community Preservation Committee*  
20.143 An Order to Appropriate \$3,000 in CPA Funds for Construction of Pine Grove Trails

***Ordered, that***

WHEREAS, the Office of Planning and Sustainability and Conservation Commission submitted a Small Grants application for construction of a trail connection from Old Wilson Road, to create public access to the Pine Grove section of the Rocky Hill Greenway;

WHEREAS, the project meets the goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail to provide for passive recreation and promote further exploration and contributes to public health by encouraging walking and hiking;

WHEREAS, on October 7, 2020, the Northampton Community Preservation Committee, voted unanimously to recommend that \$3,000 in Community Preservation Act funds be used to support this project.

**NOW, THEREFORE BE IT ORDERED,**

That \$3,000 be appropriated from Community Preservation Act funding to the Pine Grove Trail Creation project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.

Specifically, \$3,000 is appropriated from the CPA Open Space Reserve (account #2344930-359931).

Passed two readings and enrolled.

20.144 Order to  
Appropriate  
\$65,000 in CPA  
Funds for Water  
Based Recreation  
Assessment  
Project - 2nd  
reading

20.144 An Order to Appropriate \$65,000 in CPA Funds for Water Based Recreation  
Assessment Project - 2nd reading  
Councilor Foster recused herself.

Councilor LaBarge moved to approve the order in second reading. Councilor Jarrett seconded. The motion carried 8:0 by roll call vote with one recusal (Councilor Foster).

The following order passed two readings:

	<div>City of Northampton MASSACHUSETTS</div> <div>In City Council, November 5, 2020</div> <div>Upon the recommendation of the Community Preservation Committee</div> <div>20.144 An Order to Appropriate \$65,000 in CPA Funds for Water Based Recreation Assessment Project</div> <div>Ordered, that</div> <div>WHEREAS, the Office of Planning and Sustainability submitted an expedited application for a feasibility study to assess existing informal swimming areas on the Mill and Connecticut Rivers, identify possible improvements, and create preliminary designs for such improvements sufficient to apply for outside grants.</div> <div>WHEREAS, the project meets high priority goals of the Sustainable Northampton Plan, Northampton Community Preservation Plan, and Open Space, Recreation and Multi-use Trail Plan by furthering creation of water based recreation facilities;</div> <div>WHEREAS, on October 21, 2020, the Northampton Community Preservation Committee voted to recommend that \$65,000 in Community Preservation Act funds be used to support this project.</div> <div>NOW, THEREFORE BE IT ORDERED,</div> <div>That \$65,000 be appropriated from Community Preservation Act funding to the Water Based Recreation Assessment project. And, that the grantee meets the conditions approved by the Community Preservation Committee, the Mayor, and City Council.</div> <div>Specifically, \$65,000 is appropriated from the CPA Budgeted Reserve (account #2344930-359930).</div> <div>Passed two readings and enrolled.</div>
<div>Ordinances (Not Yet Referred)</div>	<div>Ordinances (Not Yet Referred)</div> <div>None</div>
<div>Ordinances</div> <div>20.139 Ordinance to Add Section 285-31 Newspaper Boxes – 1<sup>st</sup> reading</div>	<div>Ordinances</div> <div>20.139 An Ordinance to Add Section 285-31 Newspaper Boxes – 1<sup>st</sup> reading</div> <div>Councilor Sciara read the ordinance.</div> <div>Councilor Dwight moved to approve the ordinance in first reading. Councilor LaBarge seconded.</div> <div>For brief context, three years ago at the mayor’s request, the city council allocated funds for a wayfinding program and created a wayfinding committee, Mr. Feiden related. The committee created a four-step process for downtown and Florence: 1) refreshing all the metal parking signs (completed about a year ago), 2) putting up the three intelligent parking signs saying how many spaces are available in the parking garage, 3) creating wayfinding signage (bright, intelligent information signage, they are currently working on that with a vendor, 4) replacing the proliferation of newspaper boxes with centralized newspaper box condos. The city would own attractive, centralized metal boxes instead of having newspapers pay the city a fee for their own boxes.</div> <div>Smith College has one of these at the John M. Greene Hall PVTA bus stop. It becomes a lot more attractive and can accommodate however many papers are out there. The process took a while because of 1<sup>st</sup> amendment free speech rights, and the planning department worked closely with the city solicitor to make sure they were doing nothing in violation of those rights. They don’t</div>



pick favorites; the Gazette is the newspaper of general record but they treat them all the same. It is a unique opportunity right now because most of the newspaper boxes are empty now. They have worked already with the UMass paper and they took out their three newspaper boxes on their own. It is a pretty easy time for a transition and a good time for pricing to buy the boxes. Before the city can buy the boxes and install them they need to make sure it is okay with the city council to require people to use their boxes.

When she first saw this come up on the agenda she was really concerned about some of the free speech issues he mentioned, Councilor Foster noted. She watched the Legislative Matters Committee meeting and it answered some of her questions. She understands that now there is empty space and fewer publications than usual but if they go back to February, how many newspaper boxes were on the street and how many boxes are available in the newspaper condo?

One of the problems with the boxes is they've sort of popped up in random locations, Mr. Feiden said. By the Academy of Music bus shelter there are only two plastic boxes, but it is a good place for a rack of boxes. The plan is to have fewer locations so there would be a greater gap but always a box within 250 feet. There were originally 68 newspaper boxes. Many were empty even during prime time; the Daily Collegian has underused its boxes. They're proposing 48 slots but can definitely accommodate every publication. In their due diligence, they talked to both the Gazette and the Republican and they had no objection. If it turns out there is greater demand, they could always add additional boxes.

Councilor Nash commented that he misses newsstands. He asked the annual fee.

Mr. Feiden said it will really be up to the mayor. For those that don't require a fee mechanism, it will be something similar to what is now required for rent: \$50-ish. The responsibility for monitoring the boxes will switch from the DPW to the building department. The city will be assuming the one time capital cost.

They do pop up in the strangest places, Councilor Nash agreed. They can be in the public right of way and can impact accessibility for people with disabilities. He welcomes this new approach. It seems like an economic way to solve this problem. It always bothered him that the boxes seemed to take precedence over people in downtown and Florence. He has seen them blocking people being able to get on buses.

Amy Cahillane of the Downtown Northampton Association has been very supportive, Mr. Feiden advised.

Councilor Jarrett expressed his understanding that fees will cover ongoing costs while the capital cost will be paid by the city. He asked if there will be spaces for smaller real estate booklets and who cleans under and around the box.

There will be extra room in the boxes with the smaller real estate booklets, Mr. Feiden said. They are asking licensees to clean under and around them.

Councilor Jarrett asked if the wage theft ordinance applies to these licensees.

Mr. Feiden said he doesn't know the answer but it wouldn't be different than it is today.

Members offered comments and asked additional questions.

The motion passed unanimously 9:0 by roll call vote.

**See minutes of December 3, 2020 for second reading.**

**20.121 Ordinance to Amend Section 5.3 to Reduce the Setback from Street Lot Lines for Accessory**

**20.121 An Ordinance to Amend Section 5.3 to Reduce the Setback from Street Lot Lines for Accessory Stables – 2nd reading**

Councilor Foster moved to approve the ordinance in first reading. Councilor LaBarge seconded. The motion passed unanimously 9:0 by roll call vote.

**The following ordinance passed two readings:**



Stables – 2nd reading

**CITY OF NORTHAMPTON  
MASSACHUSETTS**

*In the Year Two Thousand and Twenty*

Upon the Recommendation of the Building Department & Office of planning & Sustainability  
20.121 An Ordinance to Amend Section 5.3 to Reduce the Setback from Street Lot Lines for  
Accessory Stables

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 §5.3 Code of Ordinances, City of Northampton, Massachusetts, be amended to reduce the setback from street lot lines for accessory stables.

**ORDINANCE**

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Modify section 5.3 as follows:

- 5.3 Accessory Uses
- A. The keeping of farm animals, to include all farm animals and exotics, and a related private stable, for personal use, is permitted as an accessory use in accordance with the following conditions:
- (3) The location of any stable shall not be ~~not less than 100 feet from any street lot line and not less than~~ 30 feet from any ~~other~~ lot line.

Passed two readings, ordained and enrolled.

New Business

New Business  
None

Information  
(Charter  
Provision 2-7)  
& Study Requests

Information (Charter Provision 2-7) and Information Study Requests  
None

Motion to Adjourn

Upon motion made by Councilor Dwight and seconded by Councilor Jarrett, the meeting was adjourned at 9:15 p.m. The motion carried unanimously 9:0 by roll call vote.

Attest: \_\_\_\_\_ Administrative Assistant to the City Council